



**IN THE COURT OF CRIMINAL APPEALS
OF TEXAS**

NO. PD-0748-17

KELSEY JO LACKEY, Appellant

V.

THE STATE OF TEXAS

**ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW
FROM THE TENTH COURT OF APPEALS
BRAZOS COUNTY**

Per curiam.

OPINION

Appellant was convicted of two counts of theft and sentenced to 3 years in prison and 10 years' community supervision. The Court of Appeals dismissed the appeal. *Lackey v. State*, No. 10-17-00016-CR, 2017 Tex. App. LEXIS 2337 (Tex. App. – Waco March 20, 2017).

We granted Appellant's petition for discretionary review in order to examine the appellate court's ruling. Having examined the record, we have determined that our decision to grant review was improvident. Accordingly, we dismiss Appellant's petition for discretionary review as improvidently granted.

DELIVERED: March 7, 2018

DO NOT PUBLISH